

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

In Re: Kum & Go LC)
Kum & Go #369)
11111 Emmet Street)
Omaha NE)
On Suspension, Cancellation or Revocation of)
Retail Class D-83819 Liquor License.)

ORDER

Now on the 21st day of January, 2010, this matter came on for hearing before the Nebraska Liquor Control Commission, notice having been served upon the licensee to appear and respond to an administrative citation alleging that the license should be suspended, cancelled or revoked as more fully set out herein.

The licensee was represented by Attorney Michael Kelley. The State was represented by Milissa Johnson-Wiles, Assistant Attorney General.

Based upon the testimony of the witnesses and the evidence in this case, the Commission finds the following:

FINDINGS OF FACT:

1. That the licensee did, on or about May 16, 2009, permit the selling, dispensing, or giving away of alcoholic liquor, to or for an individual being less than 21 years of age.

CONCLUSIONS OF LAW:

1. That permitting the selling, dispensing, or giving away of alcoholic liquor, to or for an individual being less than 21 years of age, is in direct violation of Neb. Rev. Stat. §53-180 and/or 237-LCC6-019.01A of the Rules and Regulations of the Nebraska Liquor Control Commission.
2. That the license should be suspended for a period of eleven (11) day(s).

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Retail Class D Liquor License of Kum & Go LC, dba Kum & Go #369, 11111 Emmet Street, Omaha NE, should be, and the same hereby is, suspended for a period of eleven (11) day(s), such suspension to commence at the closing hour of business on the 25th day of April, 2010, and to continue until the opening hour of business on the 7th day of May, 2010.

IT IS FURTHER ORDERED that the notice of suspension shall be posted upon the premises, said notice to remain posted throughout the term of said suspension.

IT IS FURTHER ORDERED that the licensee shall pay such costs of this action, assessed in the amount of \$32.50. Failure to pay such costs within thirty (30) days from the date of this Order shall result in further action taken against your license.

Dated this _____ day of March, 2010.

NEBRASKA LIQUOR CONTROL COMMISSION

BY _____

CHAIRMAN

I hereby certify this to be a true and correct copy of the original order entered herein, and further certify, that a copy was mailed by U.S. Certified Mail, return receipt requested, on this _____ day of March, 2010.

Executive Director